

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 602 of 1997

WITH

CIVIL APPLICATION NO. 5419 OF 1997

in

SPECIAL CIVIL APPLICATION No 855 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL and

MR.JUSTICE S.M.SONI

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

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V M JOHN

Versus

CHAIRMAN CUM MANAGING DIRECTOR

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Appearance:

MR RS TALREJA for Petitioners

MR RAJNI H MEHTA for Respondent No. 3

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CORAM : MR.JUSTICE B.C.PATEL and  
MR.JUSTICE S.M.SONI

Date of decision: 29/09/97

ORAL JUDGEMENT (Per Patel, J.)

Heard learned advocates.

Learned Single Judge has rightly held that the petition is premature, as cause of action has yet not arisen. Learned Single Judge has also observed in the order that:

"In view of the statement made on behalf of the Corporation, if any such action is required to be taken, same shall be taken after issuing show cause notice and affording an opportunity of representation to the concerned employee".

The statement made on behalf of the Corporation by the learned advocate for the Corporation has formed part of the order of the learned Single Judge.

We do not find any reason to interfere with the order passed by the learned Single Judge. Hence the appeal stands dismissed.

In view of the above order passed in the LPA, the Civil Application does not survive, and it stands disposed of accordingly.

csm./ -----